

REMARKS

The applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicant acknowledges and appreciates receiving an initialed copy of the form PTO-1449 that was filed on December 9, 2003.

Claims 1 – 6 and 9 – 13 are pending. Claims 7 and 8 have been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

The specification was objected to because of the informality on page 6. By way of the above amendment, the informality has been corrected. Withdrawal of the objection is respectfully requested.

Claims 1 – 9 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 6,282,492, Gorai et al. (“Gorai”). The rejection is respectfully traversed for reasons including the following, which are provided by way of example.

Claims 1 and 9 have been amended. Support for the amendments to claims 1 and 9 is located in the specification, for example page 13, lines 12 – 22.

As described in the application, one or more aspects are directed to solving the problem of providing route guidance following the actual road shape.

The claims recite in combination, for example, that “the route guidance executing unit designates road data relevant to the guidance route data from the road data read by the storage medium managing unit through executing, using a map matching technology, matching between

the road shape data received by the communications unit and the road shape data read by the storage medium managing unit" (E.g., claim 1; see also claim 9.) Thereby one can be provided with an actual road shape, such as the circular arc of element L302, illustrated in FIG. 6A.

Without conceding that Gorai discloses any feature of the present invention, according to Gorai, "a matching process is carried out by judging whether or not intersection data for a traveling intersection specified by the received intersection specifying data is contained (or is considered to be contained) in the map information stored in the navigation apparatus. (This judgment is made for each of intersections specified by the received intersection specifying data.)" (Gorai, Col. 19, lines 60 – 67.) Gorai compares "intersection data."

The office action asserts that Gorai discloses the invention as claimed. To the contrary, Gorai fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. Gorai fails to teach or suggests, for example, "the route guidance executing unit designates road data relevant to the guidance route data from the road data read by the storage medium managing unit through executing, using a map matching technology, matching between the road shape data received by the communications unit and the road shape data read by the storage medium." (See, e.g., claim 1.) To the contrary, Gorai cannot designate relevant road data using matching technology. Moreover, Gorai does not teach or suggest using "road shape data."

In the current independent claim 1 and 9, as compared with Gorai, the use of map matching technology can prevent a misunderstanding, for example, where an expressway is located over an open road, or where a temporary intersection is present. Gorai fails to teach or suggest the use of map matching technology, but provides intersection-only matching, potentially causing a misunderstanding of the actual road connection.

Gorai fails to teach or suggest, for example, these elements recited in independent claims 1 and 9. It is respectfully submitted therefore that claims 1 and 9 are patentable over Gorai.

For at least these reasons, the combination of features recited in independent claims 1 and 9, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Gorai clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claim 1, but also because of additional features they recite in combination.

New claims 10 – 13 were added. Support for the new claims is located in the specification as filed, for example, in original claims 3 – 6. The new claims are believed to be patentable for reasons including those provided above.

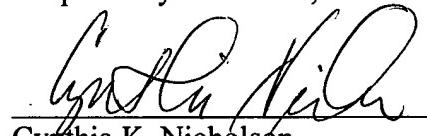
The applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicant does not concede that the cited prior art shows any of the elements recited in the claims. However, the applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

The applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicant has provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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